
PLANNING COMMISSION MINUTES

Meeting of February 26, 2015

City Hall Council Chambers * 290 North 100 West Logan, UT 84321 * www.loganutah.org

Minutes of the meeting for the Logan City Planning Commission convened in regular session Thursday, February 26, 2015. Chairman Davis called the meeting to order at 5:30 p.m.

Planning Commissioners Present: David Adams, David Butterfield, Amanda Davis, Tom Jensen, Russ Price, Maybell Romero, Sara Sinclair

Staff Present: Russ Holley, Amber Reeder, Kymber Housley, Bill Young, Debbie Zilles

Minutes as written and recorded from the February 12, 2015 meeting were reviewed. Commissioner Price moved that the minutes be approved as submitted. Commissioner Romero seconded the motion. The motion was unanimously approved.

PUBLIC HEARING

PC 15-014 Airport Industrial Park Subdivision [Subdivision Permit] Laurie Meacham c/o Parker Real Estate/Ballard Industrial LLC, authorized agent/owner, request a 6-lot subdivision on 30.51 acres located at 2301 North 600 West in the Airport (AP) zone; TIN 04-062-0015;-0086;-0088.

STAFF: Mr. Holley reviewed the project. This area currently consists of one recognized property and three unrecognized county tax identification parcels. The proposal will legally establish six (6) recognized building lots ranging in size between 1.78–13.24 acres. Four lots will be aligned and will front onto 2200 North (not yet constructed). The two northern lots have frontage along 600 West. The area is relatively flat with only a 4' drop in elevation from east to west and generally contains low-land vegetation, wet drainage area and high water tables. It is likely that wetland delineation and possible other environmental protection processes will need to be followed in order to construct new buildings and improvements.

The Land Development Code (LDC) permits subdivisions within the Airport (AP) zone with no minimum lot size requirements if minimum setbacks can be achieved. The LDC requires 20% of the property to be used as open space and the maximum lot coverage (building footprint) is 60%. Building heights will need to comply with the Airport Master Plan and FAA regulations and will be reviewed and approved on a case-by-case basis. With varied lot sizes and shapes proposed, it could be anticipated that different business types and uses will occupy these lots. As proposed, the subdivision meets the minimum requirements of the LDC.

Mr. Holley noted that the applicant has decided to amend this request to a 5-lot subdivision rather than 6 lots (lot 2 will be absorbed and combined with lot 1).

PROPONENT: Laurie Meacham, from Parker Real Estate, said they were not aware of the airport concerns until now. The project has been proposed based on current FAA recommendations and she questioned whether this proposal could be “stopped on proposed or unforeseen expectations from the FAA”. She said that they have an interested investor.

Mr. Housley, the City Attorney, pointed out that no one has suggested that this project cannot take place or that it cannot be approved under the current regulations.

Chairman Davis advised that the FAA review process is entirely separate from this Commission.

PUBLIC: Several emails in opposition to the proposal were received and distributed to the Commission prior to the meeting.

Bill Francis, a local pilot and member of the Airport Authority Board, expressed concerns about safety. There have been instances where planes have slid off the runway and out into the pasture. The airport has planned (in their CIP) for about 10 years to purchase this property.

Lane Turner, member of the Airport Authority Board, explained that the larger Runway Protection Zone (RPZ) boundary is for commercial flights and is not currently in effect. The question is whether the airport will want future commercial service. There are currently large planes that use the airport to service USU athletics (which is why the runway was extended). He believes the Commission should plan for the future, which is to have commercial flights come into Logan, and would likely make this property worthless due to FAA limitations and high insurance rates.

Richard Boudrero, owns land north of this project area, asked how this project would affect his property, particularly property value, irrigation and stormwater. Mr. Holley explained that the project would have no bearing on irrigation. Stormwater would be required to be mitigated onsite. The property value question should be directed to a real estate agent. Mr. Boudrero said he is not opposed to the subdivision.

Matt Bunnell, the Assistant Chief Flight Instructor for the USU Aviation Program, advised that an email from Aaron Dyches - the Chief Flight Instructor, had been submitted. He wanted the expanded RPZ to be considered, especially for the future growth of the airport. He advised that flight training programs are continually increasing.

COMMISSION: Commissioner Price asked how much of this property would overlap into the current RPZ. Mr. Holley pointed out that it would be a small portion on the north end of lot 1. Building limitations would make it difficult to develop anything in that area.

Commissioner Jensen asked whether any buildings would have to be removed if the RPZ was increased. Mr. Housley advised that the airport has had the opportunity to purchase the property. At this point, the Commission has a duty to enforce the regulations that are currently in place – which allow for this subdivision. Future development of the property will depend on who purchases the property and what the FAA allows at the time of any development.

Commissioner Jensen noted that a property owner should not be held hostage for something that may or may not happen in the future. If the airport has had concerns, they should have looked into purchasing the property.

Chairman Davis advised that the purview of the Commission is limited when projects meet the requirements in the Land Development Code. Decisions have to abide by the current regulations.

Mr. Housley pointed out that the Commission also has a role as an advisory body on long-term planning projects. The City conducted a city-wide rezone in 2011 and 2012; at which time the airport should have taken more initiative to be involved regarding any issues or concerns.

Commissioner Jensen said he wished the airport would have made these types of long-term plans previously; at this point there is no legal way the subdivision cannot be approved under the current regulations and zoning designation. Commissioner Romero agreed.

MOTION: Commissioner Price moved to **conditionally approve** a Subdivision Permit as outlined in PC 15-014 with the amended conditions of approval (change from 6 to 5 lots) as listed below. Commissioner Adams seconded the motion.

CONDITIONS OF APPROVAL

1. All standard conditions of approval are recorded and available in the Community Development Department.
2. Five (5) lots are approved with this subdivision permit.
3. The final plat shall be recorded within one (1) year of this action or comply with LDC §17.58.
4. Street trees shall be planted every 30' on center along adjacent developed public streets.
5. Logan City standard public utility easements of 5' shall be shown along property lines.
6. Prior to issuance of a building permit, the Director of Community Development shall receive a written memorandum from each of the following departments or agencies indicating that their requirements have been satisfied:
 - a. Engineering
 - i. All design and construction shall be in accordance with Logan City Standards and Specifications. This includes but is not limited to:
 - a. Providing water shares.
 - b. Stormwater construction and post construction requirements.
 - c. Private utility agreements.
 - d. Development agreement for infrastructures in the City right-of-way if recording plat prior to sale/development of lots - will require 110% surety of estimated construction costs.
 - ii. Each lot and/or building(s) shall have individual water and sewer services.
 - iii. Provide fixture count analysis to support meter sizes required for each lot or buildings. This will also be used to determine minimum sewer lateral size based on meter flows.
 - iv. Install a 12" potable water main in 2220 North along entire frontage of subdivision.
 - v. Install an 8" sewer line in 2200 North. If City needs to upsize this line, it will pay for the additional costs to upsize line. Until sewer line is connected to 1200 West sewer line, development may need to pump sewer to 600 West.
 - vi. Construct one half (1/2) of the road for a 66' right-of-way per City Standards. Development will need to construct an additional 6.5' of asphalt with a 3' shoulder road section and slope to existing grade on south side of road in order to provide two 12' travel lanes on 2200 North. Design shall address shoulder and slope stability due to erosion.
 - vii. Dedicate right-of-way as required on 2200 North for a 66' wide City right-of-way.
 - viii. Dedicate right of way as required on 800 West (33') for a 66' wide City right-of-way.
 - ix. Dedicate 7' of right-of-way to the City along 600 West frontage
 - x. Mitigate all wetlands located within any City right-of-way or within any public utility easements associated with the subdivision.
 - xi. Dedicate a 10'x10' corner cutoff at 2200 North and 600 West.
 - xii. Provide a geotechnical report for subgrade CBR values, recommended pavement section, and special requirements associated with construction of pavement section.
 - xiii. Pipe existing irrigation/stormwater ditch - size for required flows.
 - b. Water
 - i. All meters must have Logan City's standards backflow.
 - ii. All buildings water mains, landscape irrigation, and fire sprinkler systems if installed will require their own currently approved backflow assemblies.
 - c. Fire
 - i. When buildings are place on the lots, fire apparatus access shall extend to within 150' of all portions of the facility, as measured by an approved route around the exterior of the building.
 - ii. When installed, fire hydrants shall be located within 400' of all portions of the facility, as measured by an approved route around the building exterior. If buildings are equipped with fire sprinkler systems, a fire hydrant is required within 100' of the fire department connection.
 - iii. Fire flow shall meet the requirements depending on type of construction and size of building.
 - iv. Current available fire flow in the 8" main line at 2301 North 600 West is 3,045 gpm @ 20 psi.

FINDINGS FOR APPROVAL

1. The subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because the subdivision meets the minimum requirements of the Land Development Code.
2. The project conforms to the requirements of Title 17.47 concerning hearings, procedures, application requirements and plat preparations.
3. The project meets the goals and objectives of the Airport (AP) zone in the Logan General Plan by providing business opportunities in areas with existing services and in proximity to the airport.
4. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.

[Moved: Commissioner Price Seconded: Commissioner Adams **Passed: 7-0**]

Yea: D. Adams, D. Butterfield, A. Davis, T. Jensen, R. Price, M. Romero, S. Sinclair Nay: Abstain:

PC 15-015 Child & Family Support Center [Zone Change, Subdivision & Design Review Permit] Wasatch Development Group/CH Champlin LLC, authorized agent/owner, request to subdivide the current property for the construction of an approximately 10,000 SF building to be a facility for the Child & Family Support Center. A zone change from Neighborhood Residential (NR-6) to Commercial (COM) is requested on 3.1 acres located at 1500 North 200 West; TIN 04-082-0006.

STAFF: Ms. Reeder reviewed the request for a Subdivision and Design Review Permit for a new 10,000 SF building for the Child & Family Support Center building, subject to a request to rezone the property from Traditional Neighborhood Residential (NR-6) to Commercial (COM).

The property is currently undeveloped. There is a canal along the east side of the property adjacent to 200 West. This area was annexed in the early 1980's (zoned and used agriculturally). In 2000, the zone was changed to Commercial as development began in the nearby area. In 2008 there was a request to rezone the property to single-family residential (SFR) and a planned unit senior housing development was proposed (Meadow Valley Subdivision). Phase I was recorded with 30 lots and construction has taken place on the majority of the lots. This property was part of future phases of the Meadow Valley project which included 45 additional lots; however, approval for the project has expired.

There is a desire for single-family development and more stability in this area, however, the area to the south is zoned Commercial Services (CS) and there are a number of active commercial and light industrial uses. North of 1600 North is multi-family residential development. The Commercial zone is proposed to provide for a transition from the Commercial Services area to the residential area. The buildings and uses in the CS zone are not conducive to be adjacent to residential homes; it would be more appropriate to have a development/zone which could serve as a buffer.

The development standards in the Commercial zone have a maximum height of 38', which is only slightly higher than the allowance in the NR-6 zone of 35'. There are also building height transition requirements within 150' of a Neighborhood Residential zone that would limit the maximum height to 35'. Rear yard setbacks are the same in the COM and NR-6 zones.

Staff is hesitant to make zoning recommendations in this location as there is a desire to support single-family development, but the size of this area and location adjacent to incompatible uses has made it difficult to support a traditional single-family neighborhood. The Commercial zone and proposed project provide for a transition of uses, therefore, staff is recommending approval for the zone change request.

The request is also for a 1-lot subdivision to create a developable lot for the Child & Family Support Center, the rest of the lot would be a remainder parcel. The lot, as proposed, would meet frontage and size requirements for the NR-6 zone and for the COM zone. The property would be accessed by bridging the canal along 200 West.

PROPONENT: Brent Skinner, from Wasatch Development Group, said this project provides a good transition from Commercial to Neighborhood Residential. He has spoken with Bill Young, the City Engineer, regarding the access concerns. The Child & Family Support Center provides unique services and the site layout and rezone seem to fit well within this area.

Joe Beck, the architect of project, distributed a revised east elevation and apologized for the late submittal. The revised elevation showed a difference in materials and fenestration; the height remained the same as the original submittal. He appreciated Mr. Skinner's acknowledgment of the transition from the current industrial uses to the neighborhood. This project strives to provide a more "residential" environment. He noted that there is an increase in transparency on the south elevation with potential for an increase on the west side (10-12% higher than originally proposed).

PUBLIC: Two emails expressing opposition to this project were received and distributed to the Commission prior to the meeting.

Paul Clayburn, 1586 North 310 West, expressed concern with the undeveloped (west) portion of the lot which is closest to the residential area. If the zone is changed, he questioned what would stop the rest of the block from changing. Chairman Davis explained that only the 2.3 acre parcel is being requested to be rezoned; future changes would require appropriate noticing, review and approval. Mr. Clayburn said they are not used to having children in the area.

Brad Thorpe, 1562 North 310 West, said they currently have great neighbors. This project is good, but he is worried about protecting the residents. He is concerned with increased noise and traffic. He also pointed out that the road to the north is a 2-lane road which is currently difficult to travel when vehicles park on the street.

Marilyn Griffin noted that the bigger question for this proposal is the zone change. In 2008, the desire of residents in the area was for single-family development. Although this is a great project, the residents and the schools in this area need more residential homes. Even though she does not live in this area, she would like to see it protected from a zone change to Commercial.

COMMISSION: Commissioner Butterfield asked what has occurred in this area since the zone was changed from Commercial to Neighborhood Residential in 2008. Ms. Reeder said the only development has been Phase 1 of Meadow Valley Subdivision.

Commissioner Price asked about open space being developed in phases. Ms. Reeder explained that approximately 1 acre of the 2.83 would remain undeveloped. Commissioner Price asked what control the City would have over that development. Ms. Reeder advised that the project meets the requirements for open space within Phase 1. The undeveloped portion would be subject to the property maintenance requirements until future development is proposed.

Chairman Davis asked for a description of the general use for the building. Mr. Beck explained that the Child & Family Support Center, currently located at 380 West 1400 North, employs approximately 30 staff members who provide services for families in crisis, specifically catering to the needs of children. In-house counseling and education classes are also provided. The hours of operation would be 8:00 a.m. – 8:00 p.m. with limited overnight stays for children under the age of 11 as necessary. Overnight stays generally require two employees.

Chairman Davis asked about this area's designation in the Future Land Use Plan (FLUP). Ms. Reeder advised that it is identified as Detached Residential (DR); which corresponds with the current zone.

Commissioner Adams asked about the impact to adjoining property owners. Mr. Beck said they are not insensitive to the use that was planned for the area (adult living community). There will be children playing outside; however the desire is to be a good neighbor. A 6' solid fence and trees will be planted on the north perimeter for sound and privacy.

Commissioner Jensen appreciated Ms. Griffin's concern. Although he is predisposed to keeping this area single-family, he agreed with the need for transition. This proposal seems to be a good use because it has a residential-feel and will be well-maintained; however, he is concerned about the undeveloped west portion of the lot which abuts the backyards of residents.

Commissioner Butterfield agreed with Commissioner Jensen. He understands the concerns the residents have about the property being zoned to Commercial, however, this area has been zoned residential for over 7 years and has not been developed. This seems to be a good project that makes it more palatable for possible future residential development to the north.

Commissioner Price advised that, from a planning standpoint, the threat to residential dwellings began (in his opinion) when the decision was made not to use the Commercial Services zone as a mixed use center, which was the point it became clear there was no buffer. Planning decisions come to fruition years in the future. He encouraged residents to become more proactive and involved early in the process. He believed this to be a relatively good solution to serve as a buffer.

Commissioner Adams was concerned about leaving the west part of the parcel undeveloped. Mr. Housley pointed out the option that a 2-lot subdivision could be created, with only one lot being zoned Commercial, offering a safeguard to the west portion of the property. Commissioner Jensen said this would provide more protection to the residents. Commissioner Romero agreed that this seemed to be a good solution. Commissioner Jensen recommended some discretionary allowance regarding the boundary line to ensure that the design of the project would still work. Brent Skinner explained that a great deal of thought had been put into this proposal. Any future building would be built next to this building and the open space/playground would be moved further west, which would still protect adjacent residents. He appreciated the concerns of the residents in the area, however, noted that future development would need to be reviewed and approved. One concern with splitting the lot would be the fact that it may impact parking.

Mr. Housley advised that tying future conditions to a specific project is very difficult to track and enforce. The lot could be configured in a way to allow for future parking.

Chairman Davis noted concern that the zone change is contrary to the FLUP. The zoning process in 2008 was quite intensive and thoroughly reviewed. She struggles with this zone change not being in line with the future land use for the area.

Mr. Housley noted that boundaries are often changed and adjusted slightly from the FLUP to become more refined. He does not feel that this is a violation. A FLUP is a general guide that allows for some flexibility based on the use patterns on the ground.

Ms. Reeder said this is a good area for a transition (buffer) between two zones. Staff considered other possible zones such as Mixed Use, Community Commercial and Multi-Family as possible transition zones. When this project was submitted, it was determined that the use classification of the project was appropriate for this area and would be a permitted use in the other possible zones.

Commissioner Price advised that although he understands boundaries are going to shift, what was being used before as a buffer (Mixed Use) seem to be falling off the map and ways to introduce Mixed Use into the portfolio seem to be getting lost. The FLUP, in this case, is not being followed. Although this project is a great use, and would fit in a Mixed Use environment anyway, it may be time to review the FLUP and the General Plan to ensure they are being executed appropriately.

Mr. Housley counseled the Commission to determine whether or not this captures the spirit of the FLUP.

Ms. Reeder questioned noticing requirements if this parcel were to be subdivided. Mr. Housley advised that the purpose of noticing is to allow people the legal right to participate; the due process element has been satisfied.

Commissioner Romero said she would be more comfortable if the boundary was clearly defined.

Commissioner Price asked about future development. Mr. Holley explained that another building would require review regardless of phasing and/or boundary lines. Commissioner Price said his initial discomfort was the unknown component of the vacant portion to the west. If the boundary were instituted at the 'dotted line' indicated on the site plan there might be a way to get a double-loaded road into that area. Commissioner Adams pointed out that this might impact the project. Mr. Beck agreed and explained that he has been involved in the land acquisition from the very beginning. The 'dotted line' is quite arbitrary; it would be his preference for the whole parcel to be rezoned to Commercial. They are only going to develop what they can afford to do right now. Anything in the future would have to be reviewed and approved as Mr. Holley noted.

Mr. Housley pointed out that the purpose for the boundary line is to shorten the Commercial area. Chairman Davis asked if the east portion of the property would fulfill the current need. Mr. Beck said it would for now, but that they will need future space.

Brent Skinner pointed out that, as mentioned, there are two accesses, which is probably not permissible under the current Code; therefore, they will be coming back for review as to how to make the facility work with one access – which may necessitate needing to move the building slightly. If a hard boundary line is defined it would affect the flexibility they will most likely need. Mr. Housley recommended allowing some flexibility (within a certain predetermined range) to adjust the line lot as necessary.

Chairman Davis voiced her opposition to the zone change because it is contrary to the FLUP.

Mr. Holley asked if the proponent would be required to subdivide the lot due to concerns with taxation issues. Mr. Housley advised that they would not be forced to subdivide; however, if determined by the Commission, the zone change could be conditioned upon subdividing.

Ms. Reeder asked if the zoning designation could be tied to the legal description. Mr. Housley explained that the problem with that is that case law allows for the benefit of the higher-density zone on the entire lot, which is why it is preferable to zone along property lines.

MOTION: Commissioner Butterfield moved to **recommend approval** to the Municipal Council for the zone change on northeastern portion of the lot shown as developed (lot line can be adjusted within a 20' variable) from NR-6 to COM as outlined in PC 15-015. Commissioner Romero seconded the motion.

[Moved: Commissioner Butterfield Seconded: Commissioner Romero **Passed: 6-1**]
Yea: D. Adams, D. Butterfield, T. Jensen, R. Price, M. Romero, S. Sinclair Nay: A. Davis Abstain:

MOTION: Commissioner Romero moved to **conditionally approve** a Subdivision and Design Review Permit as outlined in PC 15-015 with the amended conditions of approval as listed below. Commissioner Sinclair seconded the motion.

CONDITIONS OF APPROVAL

1. All standard conditions of approval are recorded and available in the Community Development Department.
2. A pedestrian walkway will be provided connecting the public sidewalk on 200 West with the walkways on the site and to the building.
3. Parking lot landscaping will be provided to meet LDC§17.39.070.
4. Provide ground floor transparency at a minimum of 20% of the frontage.
5. A performance landscaping plan, prepared in accordance with LDC §17.39, shall be submitted for approval to the Community Development Department prior to the issuance of the building permit. The plan shall include the following:
 - a. Street trees to be provided along frontages at a minimum of 1 tree per 30' of frontage, species as approved by City Forester.
 - b. 41 trees per gross acre of land and 103 shrubs/perennials/ornamental grasses per gross acre of land shall be planted throughout the property (25 % shall be evergreen) as per LDC §17.39.050. A minimum of 2 species of trees are required.
 - c. Vertical landscape shall be provided in bermed areas to visually screen parking areas. Plant species should vary and provide visual interest year round.
 - d. Additional landscaping will may be required and reviewed for Phase II of development.
6. Prior to issuance of a building permit, the Director of Community Development shall receive a written memorandum from each of the following departments or agencies indicating that their requirements have been satisfied:
 - a. Fire
 - i. When buildings are placed on lots, fire access shall extend to within 150' of all portions of the facility as measured by an approved route around the exterior of the building.
 - ii. When installed fire hydrants shall be located within 400' of all portions of the facility as measured by an approved route around the exterior of the building. If buildings are equipped with fire sprinkler system, a fire hydrant is required within 100' of the fire department connection.
 - iii. Fire flow shall meet the requirements of the type of construction and size of building.
 - b. Environmental (Waste Management)
 - i. No dumpster location shown. Suggested placement facing north so the collection truck can use the north entrance and loop driveway to access the dumpster. A double enclosure is required if a recycle dumpster is also desired. Minimum inside measurement on a single enclosure is 12' wide X 10' deep and a double is 22' wide. Gates must be hung on the outside of the poles to maintain the inside measurement. The dumpster must be within 150' of the street and location must have 60' of straight on access.
 - c. Engineering
 - i. Provide revised Meadow Valley preliminary plat to reflect proposed impacts of subdivision.
 - ii. Existing sewer main in 200 West is only about 7' deep based on City GIS data. This will not provide adequate cover over sewer lateral below canal.
 - iii. All bridges and accesses across canal must be approved in writing from the Logan Northwest Field Canal Company.
 - iv. Public Works will only allow 1 access point to 200 West and that access must align with current access to parcel at 1510 North 200 West. Discuss further with Public Works.
 - v. Maintain a 15' canal maintenance access along west canal bank unless approved by the Canal Company that access is not required.
 - vi. All design and constructions shall be in accordance with City design and construction standards and specifications.
 - vii. Maintain existing irrigation ditches and flows along south property line and the west bank of the canal.

- viii. Bridge over canal shall be designed for AASHTO H-10 loading.
- ix. Provide geotechnical report for existing soil conditions, required improvements needed for bridge footings, and allowable soil bearing capacity.
- d. Water
 - i. Water meter setter will require Logan City standards backflow.
 - ii. The building water main, the lawn irrigation, and fire sprinkler system if installed all will require currently approved backflow assemblies.

FINDINGS FOR APPROVAL

1. The subdivision meets the findings as required in LDC§17.47.050.
2. The project conforms to the requirements of Logan Municipal Code Title 17.
3. The use of the property as a professional office, providing a service to the community, conforms to the requirements of Logan Municipal Code Title 17 and is listed as a conditional use in the Use Table.
4. The building is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
5. The streets providing access and other infrastructure to the subject property have adequate capacities or a suitable level of service for the use.
6. The use is compatible with neighborhood uses and character while providing a transition.
7. The use provides adequate off-street parking in conformance with Title 17.
8. The project, as conditioned, conforms to landscaping requirements in Title 17.
9. Public noticing requirements of the Land Development Code and Municipal Code were met.

[Moved: Commissioner Romero Seconded: Commissioner Sinclair **Passed: 6-1**]

Yea: D. Adams, D. Butterfield, T. Jensen, R. Price, M. Romero, S. Sinclair Nay: A. Davis Abstain:

PC 15-016 Dr. Doug Pediatric Dentist Office [Design Review Permit] Val Sorensen/Doug & Melody Fryer, LLC, authorized agent/owner, request to construct a 6,300 SF dental office on .604 acres located at 1260 North 200 East in the Commercial (COM) zone; TIN 05-014-0017.

STAFF: Ms. Reeder reviewed the proposal for construction of a new 6,300 SF commercial office building and site improvement. The proposed building is designed for a pediatric dental office and tenant space. The Land Development Code (LDC) table §17.17.030 permits office and commercial land uses within the COM zoning district

PROPONENT: Christian Wilson, from Design West Architects, pointed out that that this is a tricky site to accommodate the building and parking and felt that the parcel should be used to the highest potential available. He encouraged the Commission to consider the 10' parking setback with a berm for more efficient use of the site.

PUBLIC: None

COMMISSION: Ms. Reeder confirmed for Commissioner Adams that in order to meet the 15' setback, the parking area would lose four (4) stalls as it is currently configured (outlined in condition #2).

Commissioner Jensen said he believes the parking setback options outlined in condition #2 provide for a creative solution and he is supportive of the recommendation. Commissioner Adams agreed and said he likes the 3' berm.

MOTION: Commissioner Sinclair moved to **conditionally approve** a Design Review Permit as outlined in PC 15-016 with the conditions of approval as listed below. Commissioner Jensen seconded the motion.

CONDITIONS OF APPROVAL

1. All standard conditions of approval are recorded and available in the Community Development Department.
2. A 15' parking setback provided with an alternative parking plan or a 10' minimum parking setback provided with Type "C" separation standards per LDC §17.039.070.
3. A performance landscaping plan, prepared in accordance with LDC §17.39, shall be submitted for approval to the Community Development Department prior to the issuance of the building permit. The plan shall include the following:
 - a. A total of at least 13 trees and 31 shrubs, perennials and grasses shall be provided.
 - b. Varieties and sizes of all plant material shall be specified on the plan and plant quantities shall be per LDC §17.39.050 and include a minimum of 25% evergreen varieties for year-round visual interest.
 - c. Plant material shall be placed around the perimeter of the building footprint in a 3' minimum planting strip to screen foundations and grade changes, with the exception of vehicle and pedestrian entrances, full glass facades, patios and utilities.
 - d. Street trees shall be planted at 30' on center along all adjacent streets.
4. All dumpsters shall be visually screened or buffered from public streets by either the use of landscaping, fencing or walls.
5. Exterior lighting shall be concealed source, down-cast and reviewed and approved prior to the issuance of a building permit and shall comply with current LDC regulations.
6. No signs approved with this permit and shall be approved and permitted in accordance with the Land Development Code.
7. No fences approved with this permit and shall be approved and permitted in accordance with the Land Development Code.
8. Prior to issuance of a building permit, the Director of Community Development shall receive a written memorandum from each of the following departments or agencies indicating that their requirements have been satisfied:
 - a. Water
 - i. Water meter setter will require Logan City standards backflow.
 - ii. The building water main and the lawn irrigation system will both require their own high-hazard rated backflow assemblies.
 - b. Engineering
 - i. County parcels do not match City parcels. Need to resolve parcel discrepancies and may need to submit a Boundary Line Adjustment.
 - ii. All design/construction shall be in accordance with City standards and specifications.
 - iii. 1250 North shall be signed as No Parking and if required by Fire Marshall it shall be signed as a Fire Lane.
 - iv. In discussion with Fire Marshall in predevelopment meeting, he did not think the Fire Lane signage and painting would be necessary. Access from 200 East is adequate.
 - v. Utility plans will be reviewed at future time.
 - vi. Separate utilities are required should the building be separated into real property condominium units.
 - c. Environmental (Waste Management)
 - i. Loop access is not large enough for a collection truck plus it will cause excessive wear on the parking lot. Full grown trees will interfere with truck clearance. A better placement would be straight in on either of the access points so the collection truck can pull straight in and then back out. Minimum inside measurement of a single enclosure is 10' deep X 12' wide.

FINDINGS FOR APPROVAL

1. The project is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because of the building design, materials, landscaping, and setbacks to adjacent development.
2. Open/useable outdoor space is provided in conformance with Logan Municipal Code Title 17.

3. The project meets the goals and objectives in the General Plan by creating commercial development utilizing existing utilities, infrastructure and roadways.
4. The project, as conditioned, complies with maximum height, density and building design standards and because the building is solely commercial in use that application of commercial standards in building design is appropriate and conforms to the intent of the LDC.
5. Minimum public noticing requirements of the LDC and Municipal Code were met.
6. 200 East and 1250 North provide access and are adequate in size and design to sufficiently handle automobile traffic related to the land use.

[Moved: Commissioner Sinclair Seconded: Commissioner Jensen **Passed: 7-0**]

Yea: D. Adams, D. Butterfield, A. Davis, T. Jensen, R. Price, M. Romero, S. Sinclair Nay: Abstain:

PC 15-017 Countryside Village Phase 6 [Subdivision Permit] Dan Larsen-Kartchner Land Management, authorized agent, request an 11-lot subdivision on 2 acres located at 1250 South Park Ave in the Neighborhood Residential (NR-6) zone; TIN 02-081-0016;-0079.

STAFF: Mr. Holley reviewed the project. This 2.1 acre parcel currently fronts onto Park Avenue and is approximately 135' wide x 660' deep. The proposal is to create eleven (11) new single family building lots aligned in a row, west to east, fronting onto a new road that will be positioned along the southern property boundary. The new road is proposed to be improved from the centerline to the edge of the proposed building lot lines with the anticipation that as the property to the south develops the other half of the road will be completed and additional homes will line the south side of the street. All of the proposed lots are similar in shape and size ranging from 6,000-6,081 SF. Lots widths range between 60 and 62'.

The Land Development Code (LDC) permits subdivisions in the NR-6 zone with minimum densities at 6 units per acre and minimum lot sizes of 6,000 SF. Lot 1 jogs approximately 6' onto the park area and will require a boundary line adjustment (BLA). The subdivision meets density and lot size requirements and, as conditioned with the BLA between Lot 1 and the park area, the proposed project complies with the LDC.

This area was not identified as part of the original Countryside Village subdivision approved in 2005, but it is located adjacent to land contained within the original subdivision planned as park space. Staff was unable to obtain any written agreements between the developer and the Parks Department that detail the size, shape and program elements for the park. Staff understands that the developer has agreed to improve the land (irrigation, grass, limited equipment) and then dedicate the property as a public park to the City for future park facility upgrades and installments as funding becomes available. At this time, the park land is still under the ownership of the developer and partial improvements have been installed.

PROPONENT: Dan Larsen, from Kartchner Land Management, agreed that the road running north/south would be better if it could swing straight through the designated park, however, they have an obligation to leave the park area as large as possible and it would require tearing out some of the existing improvements. There have been discussions with the City about moving the road further east, the drawback, however, would be that it would cost Mr. Gudmundson (the landowner) quite a bit of money. He has spoken with Jeff Kunzler, the owner of the property to the south, and they are not opposed to this development.

PUBLIC: Grant Gudmundson, 1233 Park Avenue, owns the property north of this proposal. He is not opposed to the subdivision but would like to see the lots larger to match others lots in the area (73-74' rather than the 60' proposed). He does not want to see low-income housing in the area.

Brent Fillmore, 1211 South 830 West, serves as the defacto chair of the Neighborhood Park Committee and is concerned that there are 28 homes (39 when fully finished) with only one means of egress. He agreed with Mr. Gudmundson about lot sizes and would like to see them larger.

COMMISSION: Mr. Holley clarified the property (specifically the west end) lines for Commissioner Price and explained that Lot 1 oversteps the boundary into the park area by about 8'.

Mr. Holley explained that there is a concern with the radius and width of the road going north, which will need to be adjusted and will likely reduce some of the park area. Commissioner Price asked if it could line up with 830 West. Mr. Holley said a 4-way intersection is the best way to lay out streets; however, this is a difficult area to configure.

Commissioner Adams asked if the proposed half-road to the south – even with easements - would be possible. Mr. Holley explained that roads are not as problematic as homes in floodplain areas. Habitable space prone to flooding becomes a major problem; roadways are categorized differently. The applicant is proposing developing 33' of the 60' road; the other 27' will be developed when the property to the south is developed. Bill Young, the City Engineer, explained that, although not ideal, this has been done in other similar developments. They will be required to obtain some form of an easement with the property owner to the south. Based on a 66' wide cross section, from the toe of the curb to the center line of the road, 17.5' of asphalt is needed. In the past, the developer has been required to extend the asphalt out an additional 2.5' to provide a 2' shoulder and slope to meet existing grade. This would allow for two lanes of traffic and emergency vehicle access; there would be no parking allowed. At the time the other half of the road is developed 2.5' of asphalt will be cut out and the other 17.5' put in to build out the remainder of the road.

Commissioner Adams pointed out that the developer to the south would not be able to build as many lots on his side of the road due to the floodplain. Mr. Young said he could fill in the floodplain area if desired and he also has the advantage to build further west (south of park area).

Mr. Holley confirmed for Commissioner Jensen that 1230 South (stubbed) is part of the Master Transportation Plan to eventually connect with Park Ave.

Mr. Holley reviewed the current street connectivity requirements. One street connection is required for subdivisions containing less than eight (8) lots, two connections for subdivisions containing 9-20 lots and three connections for subdivisions containing more than 20 lots.

Commissioner Jensen asked if 1230 South would be required to go through to Park Avenue if the property to the north is developed. Mr. Holley said it would depend on the subdivision criteria (mentioned above). If the access requirement is met elsewhere, 1230 South could potentially become a cul-de-sac, it could vary depending on the circumstances. Commissioner Jensen said there should be some logical connectivity. The current layout is "quite ugly".

Commissioner Adams asked about making it a 10-lot subdivision (instead of 11) and whether that would allow for more room. Mr. Holley said it would depend on the size and configuration of the lots. Commissioner Adams said the proposal appears quite tight.

Mr. Holley pointed out that the Engineering Department has conditioned that the access road from 1230 South to the new development have curb, gutter and sidewalk to match a 60' road section and radius and intersections have to meet City standards.

Mr. Holley pointed out that Park Avenue is planned to be a major collector, this proposal does not count for future right-of-way there. If 1230 South comes through and daylight out by the park, it would be quite tight and probably require special design requirements.

Commissioner Davis asked if the proponent needed more time. Mr. Holley said it would be nice to see a plan that accurately depicts some of the conditions of approval. Commissioner Romero agreed and said she would like to see something more definite before making a decision.

Commissioner Price suggested that if 1300 South extended to the west, it tie into the existing 1230 South to provide a better grid.

Commissioner Jensen suggested possibly extending 830 West to the south, however, that would not create a t-intersection. He agreed that there is concern with the number of homes and only single access. He liked the idea of 1230 South going through to Park Avenue. The proximity of 1300 South seems like less of an issue. The width of the proposed lots does not seem to be consistent with the neighborhood. Chairman Davis pointed out that although not ideal; the proposed lot sizes meet the minimum requirements.

Mr. Housley said there are some subjective standards; however lot size is not one.

Commissioner Adams suggested giving Mr. Larsen time to address the concerns. Mr. Larsen said the concerns regarding the road have already been discussed with City staff and they came to this consensus.

MOTION: Commissioner Butterfield moved to **continue** PC 15-017 to the meeting of March 26, 2015. Commissioner Romero seconded the motion.

[Moved: Commissioner Butterfield Seconded: Commissioner Romero **Passed: 7-0**
Yea: D. Adams, D. Butterfield, A. Davis, T. Jensen, R. Price, M. Romero, S. Sinclair Nay: Abstain:

PC 15-002 LDC Amendment – 17.19 Town Center Development Standards – *continued from 2/12/15* – [Code Amendment] Logan City requests to clarify Town Center building standards outlined in the Land Development Code §17.19.

COMMISSION: The Commission's desire was to continue this project to the March 26, 2015 meeting.

MOTION: Commissioner Jensen moved to **continue** PC 15-002 to the meeting of March 26, 2015. Commissioner Sinclair seconded the motion.

[Moved: Commissioner Jensen Seconded: Commissioner Sinclair **Passed: 7-0**
Yea: D. Adams, D. Butterfield, A. Davis, T. Jensen, R. Price, M. Romero, S. Sinclair Nay: Abstain:

WORKSHOP ITEMS for March 26, 2015 - **Note: March 12 meeting cancelled.**

- ✓ PC 15-018 Aaron's Elite Auto Service (Design Review)
- ✓ PC 15-019 Young Auto Mall Display Lot (Conditional Use)
- ✓ PC 15-020 LDC Amendment – 17.15
- ✓ PC 15-021 Apogee Addition (Design Review)

Meeting adjourned at 8:37 p.m.

Minutes approved as written and digitally recorded for the Logan City Planning Commission meeting of February 26, 2015.

Michael A. DeSimone
Community Development Director

Amanda Davis
2015 Planning Commission Chair

Russ Holley
Senior Planner

Amber Reeder
Planner II

Debbie Zilles
Administrative Assistant